

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION**

**In re:**

**JOHN S. JONES**

**DEBTOR**

**Chapter 13**

**Case No. 18-14582-FJB**

**ORDER**

At Boston, Massachusetts, in said District, this 25th day of November 2019.

This matter having come before this Court upon the Debtor's Motion for an Order Authorizing and Approving Private Sale of Property of the Estate Free And Clear Of Liens, Claims, and Encumbrances pursuant to 11 U.S.C. §§ 363(b) and (f) ("Sale Motion"), due notice having been provided to interested parties, and a hearing having been held on the matter, and having found that the sale is in the best interest of the Debtor's estate, it is hereby

**IT IS ORDERED**

1. The Debtor is hereby authorized to sell the Property located at 19 Calder Street, Massachusetts (the "Property") to Heat Treating LLC ("Buyer") or their nominee, for a total purchase price of Six Hundred Sixty-Two Thousand and 00/100 Dollars (\$662,000.00) and to execute all documents necessary to complete the transfer of the Property.
2. Subject to the payment by the Buyers to the Debtor of the \$662,000.00 purchase price, the sale of the Property to the Buyer shall constitute a legal, valid and effective transfer of the Property and shall vest in the Buyer all right, title and interest in and to the Property.
3. Said sale shall be free and clear of all liens, claims and encumbrances of the Debtor and any perfected, enforceable valid liens of record shall attach to the proceeds of the sale according to priorities established under applicable bankruptcy law.
4. The Debtor is authorized to pay off the first mortgage to Wells Fargo Bank, N.A. in the approximate amount of \$447,355.52, or in accordance with the payoff statement produced by Wells Fargo Bank, N.A. prior to closing, directly from the proceeds of the sale.
5. The Debtor is authorized to pay off the second mortgage to the City of Boston in the approximate amount of \$38,150.00, or in accordance with the payoff statement produced by the City of Boston prior to closing, directly from the proceeds of the sale.

6. The Debtor is authorized to provide a credit to the Buyer in the amount of \$10,000.00 as stated in the Purchase and Sale Agreement and may make adjustment to the Closing Disclosure or HUD Settlement Statement to reflect this credit in accordance with normal closing practices.

7. The Debtor is authorized to pay directly from the sale proceeds a broker's fee in the amount of \$33,100.00 to Manuel Goncalves and Homes Unlimited LLC, the broker in this sale.

8. The Debtor is authorized to pay directly from the sale proceeds any and all normal closing costs and liens discovered by a title search normally done prior to closing, which are payable by the Seller at closing.

9. The balance of the sale proceeds that are needed for payment of the priority and general unsecured creditors in the Chapter 13 Plan at 100% shall be turned over to the Chapter 13 Trustee to be held pending further distribution in this case.

10. The Debtor is authorized to take any and all actions to effectuate the sale of the Property as contemplated herein and in the Sale Motion.

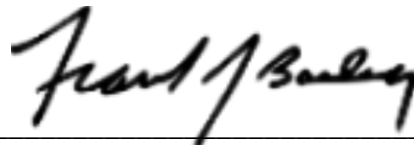
11. All parties shall execute any documents reasonably necessary to effectuate the sale of the Property.

12. The fourteen (14) day stay established by Bankruptcy Rule 6004 is hereby waived.

13. This Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

14. In addition to the above, the Debtor shall turn over to the Chapter 13 Trustee a copy of the Closing Disclosure, ALTA Settlement Statement, or HUD-1 Settlement Statement, whichever applicable, within ten (10) days of the closing date.

Dated: 11/25/2019



Frank J. Bailey  
United States Bankruptcy Judge